

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-33 are presently active in this case, Claims 1, 4-5, 9-16, 19-20, and 24-32 amended by way of the present amendment.

In the outstanding Official Action, Claims 1-4, 6-14, 16-19, 24-29 and 31-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,477,576 to Angwin et al. in view of U.S. Patent No. 6,868,292 to Ficco et al.; Claims 5 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Angwin et al. and Ficco et al., and further in view of U.S. Patent No. 5,933,784 to Gallagher et al.; Claims 15 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Angwin et al. and Ficco et al., and further in view of U.S. Patent Publication 2002/0085017A1 to Pisutha; Claims 6-8 and 21-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Angwin et al. and Ficco et al., and further in view of U.S. Patent Publication 2002/0090966A1 to Hansen.

First, Applicants wish to thank Examiner Gerezgiher for the October 11, 2005 telephone discussion of this case. During that discussion, Applicants requested a personal interview to discuss the distinctions of the presently amended claims over the cited references. While the Examiner did not permit a personal interview, Applicants presented amendments and arguments substantially as contained herein during the telephone discussion. While Examiner Gerezgiher did not agree to the patentability of Claims 1, 16 and 31 as amended herein, Examiner Gerezgiher indicated that he would carefully consider these claims upon formal filing, and that Claims 5 and 20 may include allowable subject matter. Applicants thank the Examiner for the indication of allowable subject matter, but wish to maintain Claims 5 and 20 in dependent form at this time since Applicants believe Claims 1, 16 and 31, as amended herein, patentably define over the cited references.

Turning now to the merits, in order to expedite issuance of a patent in this case, Applicants have amended Claim 1 to clarify the patentable features of the present invention over the cited references. Specifically, Applicants' Claim 1, as amended recites a method of remotely controlling wireless network devices. The method includes broadcasting a wireless menu request from a handheld control device to a plurality of electronic devices connected to a wireless local area network (LAN), and receiving a wireless menu response from at least two of the electronic devices. Also recited is that each wireless menu response includes an identifier in a menu location associated with a respected one of the electronic devices. The method further includes displaying a representation of the at least two electronic devices on a display of the handheld control device, selecting one of the at least two electronic devices based on a user input to the handheld device, and establishing a control connection with the selected electronic device via the wireless LAN.

Thus, Applicant's Claim 1 has been amended to clarify that the wireless menu request is broadcast to a plurality of electronic devices and a wireless menu response is received from at least two of the electronic devices, which are displayed on the handheld control device to facilitate selection of one of the at least two electronic devices. Independent Claims 16 and 31 have been similarly amended to include these features in apparatus and means plus function format, and the dependent claims have been amended to be consistent with these claim changes.

In contrast, the primary reference to Angwin is directed to a method and system which allows automated discovery of a service menu of a processing system. As discussed in the background section of Angwin, the invention disclosed therein is applicable to small handheld devices with little storage capability, which obtain a menu of available services from a network server and then act as a portable network terminal for execution of the

available applications.<sup>1</sup> As seen in Figure 1 of Angwin, the network includes a server 20 and pervasive computing devices including cell phone 28, desktop computer 23 and PDA 22. As described in Angwin et al., one of the pervasive computing devices broadcasts a request services menu message to all devices on the network. The message is broadcast because the pervasive computing device may not know in advance the address or location of the server on the network which provides the services menu. The broadcast message is ignored by all networked devices except the server, which responds by providing the services menu to the broadcasting device.<sup>2</sup> Thus, the broadcast message is broadcast by a network device responded to by *only* the server 20, and no other network device. Therefore, Angwin et al. does not disclose receiving a wireless menu response *from at least two electronic devices*, each wireless menu response including an identifier in a menu location associated with a respective one of the electronic devices as required by Claims 1, 16 and 31. Moreover, the response provided by the server is a list of services and not a list of devices to be controlled. Thus, the list of services obtained from the server is not a representation of at least two electronic devices that can be selected from in order to establish a control connection with the selected electronic device as also required by Claims 1, 16 and 31.

The cited reference to Ficco et al. discloses a set top box (STB) used to control various home devices. While not cited in the Official Action for the broadcast and receive features noted in the Angwin et al. discussion above, Applicants note that Ficco et al. does teach these broadcast and receive features recited in Claims 1, 16 and 31. Further, Ficco et al. acknowledges that the set top box does not include a display.<sup>3</sup> Thus, Ficco et al. also does not disclose the display limitations of Claims 1, 16, and 31, which provides an additional basis for patentability of these claims.

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<sup>1</sup> See Angwin et al. at col. 1, lines 35-47.

<sup>2</sup> See Angwin et al. at col. 8, lines 17-35.

<sup>3</sup> See Ficco et al. at col. 7, lines 54-60.

The remaining cited references to Gallagher et al., Pisutha et al., Hansen et al. are cited for features in the dependent claims and do not correct the deficiencies of Angwin et al. and Ficco et al. noted above. Therefore, Applicant's independent Claims 1, 16, and 31 patentably define over the cited references. Further, as the remaining pending claims depend from one of Claim 1, 16 or 31, these dependent claims also patentably define over the cited references. Nevertheless, Applicant submits that the pending dependent claims provide further bases for patentability in this case.

First, as discussed in the October 11<sup>th</sup> telephone interview, the cited reference to Gallagher et al. does not disclose the features of Claims 5 and 20 and, thus, these claims are allowable.

In addition, Claims 15 and 30 recite "displaying a list of said plurality of wireless devices based on the frequency of user access to the electronic devices." The outstanding Official Action cites Pisutha et al. as teaching this feature. However, Figure 6 of Pisutha et al. discloses relocating and reordering display items, which is in no way related to Applicant's claimed adjustment of the display list based on frequency of access. This provides an additional basis for patentability of Claims 15 and 30 over the cited references.

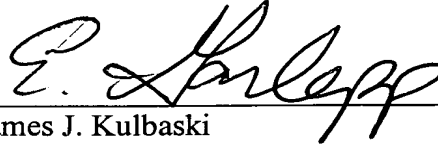
The Official Action cites Hansen et al. in rejecting Claims 6-8 and 21-23. Hansen discloses the feature of controlling transmit power of a wireless communication device. However, this reference shows only communication between two devices, rather than a broadcasting as required by Applicant's claims. Applicants submit that there is no motivation to combine the power control feature of Hansen et al. with a broadcast network. Further, Hansen et al. does not correct the deficiencies of Angwin and Ficco et al. as discussed above.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in

condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "E. Kulbaski", written over a horizontal line.

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